

1 CARLSMITH BALL LLP

2 DAVID LEDGER (CNMI BAR NO. F0195)  
3 Carlsmith Ball LLP Building  
4 Capitol Hill  
5 Post Office Box 5241  
6 Saipan, MP 96950-5241  
7 Tel No. 670.322.3455

8 Attorneys for Defendants  
9 American Overseas Marine Corporation  
10 and General Dynamics Corporation  
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**FILED**  
Clerk  
District Court

**FEB - 1 2007**

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

12 IN THE UNITED STATES DISTRICT COURT

13 FOR THE

14 COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

15 KENNETH COUTURE,

16 Plaintiff,

17 vs.

18 AMERICAN OVERSEAS MARINE  
19 CORPORATION and GENERAL  
20 DYNAMIC CORPORATION,

21 Defendants.

CIVIL ACTION NO. CV05-0024

**NOTICE OF FILING UNDER SEAL;  
CERTIFICATE OF SERVICE:**

**DEFENDANTS MOTION FOR  
SUMMARY JUDGMENT;  
MEMORANDUM IN SUPPORT  
THEREOF; EXHIBITS A-D;  
DECLARATION OF THOM  
MERRELL; DECLARATION OF  
DAVID LEDGER**

22 This Motion and the accompanying Exhibits A-D and Declarations are being filed under  
23 seal by agreement of Counsel, David Ledger and Bruce Berline. The Exhibits are filed under  
24 seal because, with the exception of Plaintiff's Answers to certain Interrogatories, Counsel have  
25 agreed to keep the Exhibits confidential and not distribute them to others. The Motion is being  
26 filed under seal, and not served until a later date, likewise by agreement of Counsel. In  
27 particular, Defendants filed this Motion on the day presently set for such filing, February 1,  
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1 2007, whereas Plaintiff will be filing a Motion at a later date with leave of Court. Defendants do  
2 not object to Plaintiff filing on a later date. On that date, which will be on or before February 8,  
3 2007, this Motion, but not the Exhibits, will be unsealed and served on Plaintiff.

4 DATED: Hagåtña, Guam, February 1, 2007.

5 CARLSMITH BALL LLP  
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8 DAVID LEDGER  
9 Attorneys for Defendant  
10 American Overseas Marine Corporation  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 1st day of February 2007, I will cause to be served, via hand delivery, a true and correct copy of the **NOTICE OF FILING UNDER SEAL;**

**CERTIFICATE OF SERVICE** upon the following Counsels of record:

William M. Fitzgerald, Esq.  
Law Office of William M. Fitzgerald  
1st Floor, Macaranas Building  
Post Office Box 909  
Saipan, MP 96950

and

Bruce Berline, Esq.  
Law Office of Bruce Berline  
1st Floor, Macaranas Building  
Post Office Box 5682 CHRB  
Garapan, Saipan MP 96950

DATED: Hagåtña, Guam, February 1, 2007.

  
DAVID LEDGER